

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

97-cr-9-wmc-1

CHARLES RAIMONDI, JR.

Defendant.

A hearing on the probation office's petition for judicial review of Charles Raimondi, Jr.'s supervised release was held on June 13, 2014, before U.S. District Judge Barbara B. Crabb. The government appeared by Assistant U.S. Attorney Elizabeth Altman. Defendant was present in person and by counsel, Associate Federal Defender Peter Moyers. Also present was Deputy Chief U.S. Probation Officer Tracy Russom.

From the record I make the following findings of fact.

FACTS

Defendant was sentenced in the Western District of Wisconsin on November 21, 1999 following his conviction for conspiracy to distribute cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(a)(1). This offense is a Class B felony. He was committed to the custody of the Bureau of Prisons to serve a term of imprisonment of 175 months, with a five-year term of supervised release to

follow. He was sentenced again on November 17, 2003 following his conviction for possession of marijuana by an inmate, in violation of 18 U.S.C. §1791(a)(2) and (d)(1)(B) to a term of 33 months, to be followed by three-year term of supervised release.

Defendant began his terms of supervised release on August 9, 2013. On April 25, 2014, the U.S. Probation Office filed a violation petition, alleging that defendant had violated Special Condition No. 4, requiring defendant to abstain from the use of alcohol and illegal drugs and to participate in substance abuse testing when he failed to keep an appointment for testing when he tested positive for amphetamines on April 9 and for methamphetamine on April 14, 2014, and when he admitted to his supervising probation officer that he had used methamphetamine the evening before. Defendant maintains that he never missed a test, but admits that he tested positive for amphetamines on April 9 and for methamphetamine on April 14, 2014, and that he used methamphetamine on April 22, 2014. This is sufficient to find him in violation of Special Condition No. 4.

Accordingly, defendant will remain in the custody of this court until a determination is made about revocation.

Entered this 13th day of June, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

U.S. District Judge